

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

January 17, 2008

In re application of :1 KAPLAN, Jeffrey  
Serial No. : 10/709,242  
Filed : April 23, 2004  
Entitled : **STYPTIC PENCIL OR STICK HOUSED  
IN A TUBULAR DISPENSER**  
Examiner : Huynk, Kho D.  
Art Unit : 3751  
Our File No. : 10853.3801

**RESPONSE TO THE EXAMINER'S RESTRICTION REQUIREMENT**

Mail Stop Non-Fee Amendment  
Commissioner for Patents  
Alexandria, VA 22313-1450

Dear Sir:

This amendment is in response to the Examiner's Restriction Requirement dated January 7, 2008. Claims 1 through 20 are pending in the application.

It is the Examiner's position that the application contains claims directed to the following patentably distinct species:

Species 1 (as depicted in Fig. 2B);

Species 2 (as depicted in Fig. 6).

It is the Examiner's position that the Species 1 and 2 are independent or distinct because they contain mutually exclusive structural characteristics.

The Examiner has required that under 35 U.S.C. 121, the applicant must elect a single